

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)	
ANDREW STEPHEN DRAZDIK, JR.)	
)	Civil No. 20-549
Plaintiff.)	

MEMORANDUM ORDER

Andrew Stephen Drazdik, Jr., proceeding pro se, commenced this action on April 15, 2020, by filing a five-page “Complaint: Civil Action 28 U.S. Code 398 (equitable defense & relief in action at law) are superseded,” attaching five exhibits. ECF No. 1. After review of the Complaint and attached exhibits the Court dismissed the Complaint for failing to comply with Rule 8. Opinion and Order, Apr. 28, 2020, ECF No. 3. The Court also noted that Mr. Drazdik did not identify a defendant and that the Complaint did not set forth any coherent claim against any party. Mr. Drazdik was given leave to file an amended complaint consistent with the Opinion by May 22, 2020.

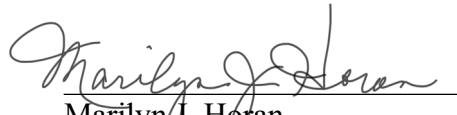
On May 5, 2020, Mr. Drazdik timely filed an Amended Complaint. ECF No. 4. The Amended Complaint still fails to set forth a discernible claim. It is impossible to determine what harm was committed, who committed it, and when or where the alleged conduct occurred. The Amended Complaint does not comply with Rule 8’s directive that a complaint contain “a short and plain statement of the grounds for the court’s jurisdiction,” “a short and plain statement of the claim showing that the pleader is entitled to relief,” and “a demand for the relief sought.” Fed.R.Civ.P. 8(a)(1), (2), and (3). As was the case with the initial Complaint, the Amended Complaint is properly dismissed for failing to comply with Rule 8. *Roy v. Supreme Court of United States of America.*, 484 F.App’x 700, 700 (3d Cir.2012) (agreeing with District Court that the complaint was incomprehensible and failed to comply with Rule 8). Accordingly, the

Amended Complaint will be dismissed. In light of Mr. Drizdak's pro se status, and out of an abundance of caution, the Court will permit Mr. Drizdak one final opportunity to file a second amended complaint. To hopefully assist Mr. Drizdak, attached to this Order are forms provided as a matter of course to the public to assist pro se filers. First, is the United States Courts' "Form Complaint for a Civil Case" specifically directed to pro se plaintiffs.¹

<https://www.uscourts.gov/forms/pro-se-forms/complaint-civil-case>. In addition, attached hereto is the United States District Court for the Western District of Pennsylvania's "Pro Se Package: A Simple Guide to Filing a Civil Action," which is provided to the public on the Court's website at https://www.pawd.uscourts.gov/sites/pawd/files/PROSE_manual_2015.pdf.

AND NOW, this 7th day of May, 2020, for the reasons set forth above and in the Court's Opinion and Order filed April 28, 2020, ECF No. 3, it is hereby ORDERED that Plaintiff's Amended Complaint is **DISMISSED**. Plaintiff is granted leave to file a second amended complaint no later than May 29, 2020. If said second amended complaint similarly fails to state a claim, the complaint will be dismissed with prejudice.

BY THE COURT:


Marilyn J. Horan
United States District Court Judge

cc: Andrew Stephen Drazdik, Jr., pro se
313 SUNVIEW AVE
JEANETTE, PA 15644

¹ Various additional pro se forms can be found at the United States Courts' website at <https://www.uscourts.gov/services-forms/forms?k=&c=841>.